

**IRAQI ARMED FORCES BATTALION SETS  
QUESTIONS AND ANSWERS  
23 APRIL 2004**

1. Question. Weapons and Ammunition

As you would expect all manufacturers "stamp" the weapons and ammunition with a year of manufacturer.

For the CPA in Iraq they have stipulated that new is 2002 or newer in regard to their contracts.

Please could you confirm the position of TACOM with regard to this point.

*Answer: We have no date requirement. Unless otherwise specified, items submitted must be new, meaning previously unused or composed of previously unused materials, which may include unused residual inventory or unused former Government surplus property; provided that the supplies meet contract requirements, including but not limited to, performance, reliability, and life expectancy.*

2. Question. I read a news article today that mentions that members of the former Baathist party have been allowed to come back to their jobs. Does this policy shift/alter the "De-Baathification clause that is within the subject solicitation?

*Answer: Any Change in the De-Baathification clause will have to await revision from higher headquarters and the Coalition Provisional Authority. The impact, however, should not effect the Iraqi Battalion Sets solicitation, as the changes will only involve the lifting of restrictions on the hiring of soldiers and teachers. If and when the De-Baathification clause is changed, the solicitation or contract will be amended, if appropriate.*

3. Question. Could you explain who and when will issue the End User Certificate for the deliverables and how long it takes to obtain it.

*Answer: This area is covered by Department of Defense Directive 2040.3 which establishes that the items being acquired under the IAF Battalion Sets acquisition would fall into Category III. DoDD 2040.3 at 4.3.3 states the following:*

*4.3.3. Category III. Secretaries of the Military Departments...may not authorize the signature of EUCs that limit the right:*

*4.3.3.1. for use by or for the U.S. Government in any part of the world, or*

*4.3.3.2 to provide the item to allies engaged together with the United States in armed conflict with a common enemy. (emphasis added)*

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*If the foreign contractor was the only source of the item available and the foreign contractor and his government were insisting on restrictions on use or transfer, and the U.S. Government decided it was in the best interests of the U.S. Government to sign such an End User Certificate (EUC), then:*

*Waivers to the prohibition in 4.3.3. may be granted by the Under Secretary of Defense (Acquisition) USD(A). Procedures for requesting such waivers are at subsection 6.1.3.*

*6.1.3. Category III [exemption procedures]. To acquire an item requiring a Category III EUC, the Secretary of a Military Department...must request a waiver from the USD(A). Requests for waivers should specify:*

*6.1.3.1. why it is in the interest of the U.S. Government to procure the item.*

*6.1.3.2. the limitation to be imposed by the exporting government and a justification for acceptance of those limitations by the U.S. Government.*

*6.1.3.3. a statement that no satisfactory alternative to the item, considering cost, schedule, or operational requirements, is available from domestic or foreign sources without equivalent limitations.*

*USD(A) shall coordinate with USD(P) who, if appropriate, shall coordinate with the Department of State. USD(A) shall notify the submitting DoD component of the results.*

*Given the purpose of this acquisition to equip the Iraqi Armed Forces, any restriction of use or ability of the U.S. Government to eventually transfer this equipment to the Iraqi Armed Forces is unacceptable to the U.S. Government and may render your offer of that equipment unacceptable.*

4. Question. Ambulance. After reading the specifications I have a couple of questions. What standards do you want the vehicles built too? In other words will KKK-1822-E Federal Standards apply since these vehicles will be used in Iraq? In addition do you want a vehicle such as a van ambulance with a box (patient compartment or a truck chassis with a patient compartment? I have seen similar vehicles even with a camper type fiberglass shell in some foreign countries I have visited. A little more information as to the extent for this project would be most helpful. Would a truck with stretcher and oxygen capabilities be adequate?

*Answer: The specifications in the solicitation are the Government's minimum requirements.*

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5. There is some confusion with the Night Vision requirements in the Statement of Work and in Attachment 1, pages 63 and 65. Attachment 1, Technical Requirements. Item C.5.2.3 in the Technical Attachment still has some of the AN/PEQ-2A like laser aimer/pointer technical requirements in it. If we are to offer something similar to the laser point, AN/PAC-4C, it would fail the technical requirements in C.5.2.3 . We don't feel this is the intent. The aimers tend not to have a low / high power switch. They have only one power setting. Also, the pointers, like the AN/PAQ-4C or similar, do not illuminate targets. They just point and assist in aiming.

***Answer: The reference in C.5.2.3 for the AN/PEQ-2A is a typographical error. It should read AN/PAQ-4C as in paragraph (b) below. There were also typographic error in Attachment 1 pages 63 and 64. These pages will be changed to fix the typographical errors to reflect the requirements listed in the Statement of Work. The Statement of Work takes precedence over Attachment 1.***

6. Question. We have a question in Section C.3.2, Item 1002AB, ammunition to AK47. There is no separate contract line item in the delivery schedule for the ammunition. Could you advise us how to resolve a problem that we may not be able to provide the ammunition in the Government's desired delivery schedule?

***Answer: The ammunition that is to be supplied with the weapon shall be priced with that particular weapon, as well as the routine maintenance spares. If you can not meet the Government's desired delivery schedule (Attachment 4A), please provide your proposed delivery schedule in Attachment 4B. For evaluation purposes, the latest delivery date for the weapon and all items required to support the weapon will be used.***

7. Question. Can the AK47s be delivered with a small amount of ammunition or will this disqualify our bid?

***Answer: The quantity of ammunition for the AK47s is a firm requirement.***

8. Question. Due to security reasons, it is suggested that the weapons be transported separately from the ammunition.

***Answer: The weapons can be transported separately from the ammunition, but both items must arrive at the destination by the contract delivery date.***